

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: 10/687,913	Confirmation No.	: 2270
First Named Inventor	: Wank, Rudolf		
Filed	: October 20, 2003		
TC/A.U.	: 1644		
Examiner	: Zachary S. Skelding		
Docket No.	: 104341.B090019		
Title	: Use of Stimulated Peripheral-Blood Mononuclear Cells for the Treatment of Cancerous Diseases		

PETITION UNDER 37 C.F.R. § 1.78

Mail Stop PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition the Commissioner to accept an unintentionally delayed benefit claim under 35 U.S.C. § 120. In accordance with the requirements of 37 C.F.R. § 1.78(a)(3), this Petition is accompanied by:

(i) The reference to the prior-filed applications required by 35 U.S.C. 120 and 37 C.F.R. § 1.78(a)(2). The attached Supplemental Application Data Sheet clarifies the relationship between the claimed priority applications and the present application.

(ii) A statement as set forth in 37 C.F.R. § 1.78(a)(3)(iii). Accordingly, Applicants aver that the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and the date the claim was filed was unintentional. Applicants believed that the claim was properly made in the Declaration for Patent Application filed October 20, 2003, and subsequently entered into an Application Data Sheet filed May 5, 2008. Upon review of the face of the issued patent, it became evident to the Applicants that the relationship between the application and the claimed priority applications was not made perfectly clear for the Office. The Application Data Sheet indicated that this application was a continuation application, but the Office did not fully understand that the application was a continuation of the PCT application.


Therefore, Applicants would like to make sure it is clear on the face of the patent that this application was a continuation of the PCT application. Based on the above explanation, the Applicants state that the entire delay was unintentional.

(iii) The \$1,410 surcharge set forth in 37 C.F.R. § 1.17(t). Please charge any additional fees associated with this Petition or credit any overpayment to the Deposit Account of Crowell & Moring, LLP, Account Number 05-1323 (Docket No.: 104341.B090019).

In view of the foregoing remarks and the accompanying Amendment, a favorable decision on this Petition is earnestly solicited.

April 5, 2011

Respectfully submitted,



Deborah H. Yellin
Registration No. 45,904

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
DHY:SML